

Remarks

Reconsideration of the application is respectfully requested.

Upon entry of the foregoing amendment, claims 1-9 are pending in the application. These changes are believed to introduce no new matter, and their entry is respectfully requested. Based on the above amendment and the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

Summary of objections and claim Rejections

The disclosure was objected to because of informalities related to the cross reference to related applications.

Claims 1 – 9 were rejected under 35 U.S.C. 112, second paragraph as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claim invention. Specifically, the Examiner stated that in claim 1, “first and second ground planes” being “on opposite ends of said conductor” does not appear to have been supported by the original specification and thus continues to be treated as new matter. Further, with respect to claims 1 and 3, the added limitation of a “vertical multi-layered stack of rectangular slabs” does not appear to have support in the original specification relative to the “coplanar waveguide” embodiment (i.e., FIG. 9) and thus is treated as new matter.

Claims 1 - 9 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite.

Claim 1 is noted to be unclear whether the “conductor” being (only) “positioned adjacent to the first edge of the first and second rectangular slabs” is a proper characterization.

Response to each objection and claim Rejection

The disclosure was objected to because of informalities related to the cross reference to related applications.

The cross reference to related applications was modified pursuant to Examiners objection to avoid confusion. With this amendment, the objection is believed to be traversed.

Regarding the rejection of claims 1 – 9 under 35 U.S.C. 112, second paragraph as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claim invention. Specifically, the Examiner stated that in claim 1, “first and second ground planes” being “on opposite ends of said conductor” does not appear to have been supported by the original specification and thus continues to be treated as new matter:

The germane elements of Claim 1 now read:

a center strip conductor positioned adjacent to a first edge of each of said first and second rectangular slabs of dielectric material; and first and second ground planes positioned on opposite ends of said centerstrip conductor.

Support for amended element “center strip positioned adjacent to a first edge of said first and second rectangular slabs of dielectric material” can be found in the specification on page 8, line 8, which describes element 134 in FIG. 9.

Support for amended elements “first and second ground planes positioned on opposite ends of said center strip” can be found in the specification on page 8, line 8, which describes elements 136 and 138 of FIG. 9. Page 8, line 9 goes on to describe that, “The ground planes are positioned on opposite sides of the center strip.” Further, this is apparent as shown in FIG. 9.

Regarding the objection that with respect to claims 1 and 3, the added limitation of a “vertical multi-layered stack of rectangular slabs” does not appear to have support in the original specification relative to the “coplanar waveguide” embodiment (i.e., FIG. 9) and thus is treated as new matter:

The germane elements of claims 1 and 3 now read:

a first rectangular slab of a horizontally stacked ~~vertical~~ multi-layered stack of rectangular slabs of dielectric material, said first rectangular slab having a first side, a second side and two edges;

a second rectangular slab of said horizontally stacked ~~vertical~~ multi-layered stack of rectangular slabs of dielectric material, wherein said second rectangular slab is stacked adjacent to said first rectangular slab along a horizontal direction;

Applicant agrees with the Examiner that the stack would be more appropriately and accurately described as horizontal and not vertical. Hence, claims 1 and 3 have been amended pursuant to Examiner's suggestions to include the horizontal nature of the positioning of the first and second rectangular slabs with respect to each other and as shown in FIG. 9.

Regarding the rejection of claims 1 - 9 under 35 U.S.C. 112, second paragraph, as being indefinite:

Applicant submits that with the above claim amendments, which incorporate the suggestions and clarifications that the Examiner pointed out in the office action, to wit, the horizontal nature of the placement of the dielectric slabs relative to each other, the claims now adequately claim what the Applicant regards as the invention.

Regarding the objection that it is unclear whether the "conductor" being (only) "positioned adjacent to the first edge of the first and second rectangular slabs" is a proper characterization:

Amended claim 1, now reads:

a center strip ~~conductor~~ positioned adjacent to a first edge of each of said
first and second rectangular slabs of dielectric material;

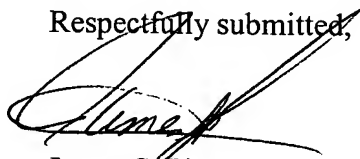
“Conductor” has been replaced with “center strip” (support for the amendment described above) and, as depicted in FIG. 9, is positioned adjacent a first edge of said first and second rectangular slabs of dielectric material. As the center strip more clearly describes the flat nature next to the edge, even if there were more than two rectangular slabs, they could be still be adjacent depending on the size of the center strip. Applicant submits that this amendment to claim 1 traverses this rejection.

Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reasons, that personal communication will expedite prosecution of this application the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,



James S. Finn
Reg. No. 38450

Date: 2-13-04

James S. Finn
Registered Patent Attorney
8650 Southwestern Blvd. Suite 2825
Dallas, Texas 75206
202-607-4607